

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHALAMON DUKE,
Plaintiff,

v.

CITY COLLEGE OF SAN FRANCISCO,
et al.,
Defendants.

Case No. 19-cv-6327-PJH

**ORDER RE DECLARATION IN
SUPPORT OF MOTION TO SEAL**

Re: Dkt. No. 106

On May 7, 2021, defendant filed a motion to seal the entirety of plaintiff's journal. See Dkt. 103. On May 17, 2021, the court entered an order granting defendant's motion for summary judgment, and in the order, it noted that plaintiff had not yet filed a supporting declaration explaining why the motion to seal should be granted, as required by Civil Local Rule 79-5(e)(1). See Dkt. 104 at 14. The court gave plaintiff's counsel until May 24, 2021 to file the supporting declaration. Id.

On May 23, 2021, plaintiff's counsel filed a supporting declaration. See Dkt. 106. However, rather than providing reasons why the journal should be sealed, the declaration relied on the conclusory statement that "[i]nsofar as each page of the document in question is designated 'confidential,' it is properly sealable." Dkt. 106, ¶ 6.

Civil Local Rule 79-5(d)(1)(A) expressly states that "[r]eference to a stipulation or protective order that allows a party to designate certain documents as confidential is not sufficient to establish that a document, or portions thereof, are sealable." Rather, the supporting declaration must provide substantive reasons as to why the document should be sealed.

IT IS SO ORDERED.

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge